

**MINUTES OF HAMILTON COUNTY COUNCIL, July 1, 2009
GENERALIZED SUMMARY**

President Levine called to order the regular session of the Hamilton County Council at 7:00:00 p.m. Those in attendance were Steve Schwartz, Rick McKinney, Meredith Carter, Judy Levine, John Hiatt, Jim Belden and Brad Beaver. A quorum was declared by Auditor Dawn Coverdale.

Councilor Belden gave the invocation and led the pledge of allegiance.

7:02:07 Councilor Beaver moved to approve the June 3, 2009 minutes and June 10, 2009 Special Session minutes. Councilor McKinney seconded motion. Motion carried 7-0.

PUBLIC COMMENTS: None

COMMITTEE / OFFICER REPORT: 7:02:38

President: Councilor Levine

- Reported that the County Council state called meeting was Saturday, June 27th in Indianapolis. Over 200 Councilors and Auditors were in attendance.
- Association of Indiana Counties fall meeting is September 28 to October 1, 2009 in French Lick, Indiana.
- Tim Rushenberg, DLGF Commissioner has sent out the new time line for budget adoption.

Vice President: Councilor Carter

- No Report

Highway Committee: Councilor McKinney

- August transfers for Olio Road Bridge Project. This project came in substantially under estimate.

Highway Department discussed the matching dollars for federal aid projects (as promised by the County Council) that will be coming up in the next nine months.

Finance Committee: Councilor Beaver

- Councilor Beaver moved to cap all employees at 20 hours of compensatory time starting in 2010, with employees being paid down the first pay check in 2010. Councilor Levine seconded the motion. Motion carried 7-0.
- This recommendation will be forwarded to the Board of Hamilton County Commissioners as a handbook amendment.
- Board of Hamilton County Commissioners and Hamilton County Council will encourage Elected Officials and Department Heads to have employee's take their compensatory time by year end.

Personnel: Councilor Belden

- No Report

MISCELLANEOUS: 7:14:49

Councilor Hiatt

- Attended the PrimeLife Enrichment annual meeting and presented the Council with an annual report.

Councilor McKinney

- Asked about doing a resolution for the transfer of Welfare Fund and Children's Psychiatric Fund monies to the County Rainy Day Fund
- Auditor Coverdale believes that this is an automatic transaction allowed by state statute.

Councilor Belden

- Reported that Solid Waste is meeting and business is good.

COMMISSIONER UPDATE: 7:16:30

Commissioner Altman

- Commissioners requested all not-for-profits to present their budgets to the County Commissioners. All budgets were frozen at the 2009 budget with the exception of the Humane Society. The amount paid per animal was increased.

- Commissioner Altman, Westfield Mayor Cook, Fishers Town Councilor Scott Faultless and Councilor Levine met with the Governor's Office on several items. Councilor Altman felt that this meeting was successful.
- Discussed local options for transit funding on a federal level.
- Discussed an independent MPO. Currently the MPO is controlled by the City of Indianapolis. Governor's Office is interested in how this will be formed.
- Discussed the northeast quarter of the Nickel Plate on the environmental work that will qualify this section for new starts funding. HNTB was selected for the environmental work.
- A reception will be held on July 28th at the Ball State Center. Ball State students have worked very hard on renderings of Land Use along the Nickel Plate Corridor.
- Janus is working on the Reverse Commute Grant. There is an earmark secured for the Nickel Plate for \$400,000 for bus and bus facilities. This is 80/20 money.
- UASI Grant was awarded at five million dollars.

UNFINISHED/TABLED BUSINESS: 7:24:33

Councilor McKinney moved to untable the Parks request for \$280,000. Councilor Levine seconded the motion. Motion carried.

Councilor McKinney moved to approve the Parks request for \$280,000. The motion died for lack of second.

NEW BUSINESS

7:25:35: Councilor Belden moved to approve claims. Councilor Carter seconded the motion. Motion carried 7-0.

7:25:47: CF-1/Real Property Compliance Statement for Hoosier Tradewinds, Inc.

Councilor McKinney moved to find that Hoosier Tradewinds, Inc. is not in substantial compliance for the following reasons:

- 1) The CF-1 was not received by the May 15, 2009 deadline
- 2) The difference between the SB 1 Estimated Projection on number of employees and salaries paid and the actual number of employees and salaries paid.

Councilor Beaver seconded the motion. Motion carried 7-0. There will be a hearing on August 5, 2009, at 6:00 p.m. in the Commissioners Courtroom.

7:38:14: Councilor McKinney moved to approve Resolution 07-01-09-01 "A Resolution to Temporary Transfer of Funds to Cover Debt Payments due to Late Settlement." Councilor Schwartz seconded the motion. Motion carried 7-0.

7:38:46: Councilor Schwartz moved to approve the "Restatement of Hamilton County Police Retirement Plan." Councilor McKinney seconded the motion. Motion carried 7-0.

7:39:56: 2010 Budget Review of Hamilton County Tax Units. Auditor Coverdale reported that there are twenty two units. Auditor Coverdale stated that the memo to units will be updated and units will be asked to stay within the parameters set by state statute. Budgets must be to the County Council by September 17, 2009. Consensus of the County Council is to have Mike Reuter look over budgets and report his findings to the County Council so that they can make their non-binding recommendation. Councilor Beaver moved to have Auditor Coverdale send an updated memo to the units. Councilor Schwartz seconded the motion. Motion carried 7-0.

7:46:22: Councilor McKinney moved to amend the agenda and add Resolution 07-01-09-02 "A Resolution Authorizing Procedures To Issue Bonds (Parks Department Project). Councilor Belden seconded the motion. Motion carried 6-1. Councilor Beaver against.

Councilor McKinney moved to approve Resolution 07-01-09-02. Councilor Levine seconded the motion. The motion was amended to be for five years. The motion carried 6-1. Councilor Beaver against.

7:58:27: Employee Vacancies

7:58:30: Council Schwartz moved to approve a vacancy in Maintenance line item 019.000.1017 at \$24,853. Councilor Hiatt seconded the motion. Motion carried 7-0.

7:59:52: Council Beaver moved to approve a vacancy in Probation line item 047.000.1052 at \$37,406. Councilor Hiatt seconded the motion. Motion carried 6-1. Councilor McKinney against.

8:02:03: Councilor Belden move to approve a vacancy in part time in the Deferral Fund. Councilor McKinney seconded the motion. Motion carried 7-0.

8:05:35: Councilor Schwartz moved to approve County General Prosecutor additional line item 1313 PT DPA for \$10,231. Councilor McKinney seconded the motion. Motion carried 7-0.

8:07:33: Ralph Watson asked for a waiver concerning new hires both for part time and full time hires in his Community Corrections Grant and Project Income Funds. It is the consensus of the County Council that the hiring of part time and full time hires for Community Corrections Grant and Project Income Funds being approved by the County Council be waived.

8:17:20: Councilor Carter resolved County General Jail line items 027.000.1407 Overtime for \$220,000; 027.000.1304 Part Time for \$80,000; and 027.000.3704 Inmate Medical for \$40,000. Councilor Hiatt seconded the motion. Motion carried 7-0.

8:17:43: Councilor Carter resolved County General Sheriff line items 037.000.1407 Overtime for \$40,000; and 037.000.3003 Computers and Software for \$8,000. Councilor McKinney seconded the motion. Motion carried 7-0.

8:17:59: Councilor Carter resolved County General Sheriff line item 037.000.4008 Vehicles and Equipment for \$40,000. Councilor Hiatt seconded the motion. Motion carried 7-0.

8:18:17: Councilor Carter resolved Juvenile Detention Fund line item 000.000.3851 Supplement for \$340,000. Councilor Belden seconded the motion. Motion carried 7-0.

8:18:43: Councilor Carter resolved Jail Detention Fund line item 000.000.3851 Supplement for \$40,000. Councilor Hiatt seconded the motion. Motion carried 7-0.

8:20:15: Councilor Belden resolved Clerk Perpetuation Fund line item 000.000.3851 Supplement for \$7,819. Councilor Schwartz seconded the motion. Motion carried 7-0.

8:20:55: The Hamilton County Commissioners pulled their additional request.

8:21:32: Councilor Belden moved to approve County General Community Corrections 144 line item 012.000.1003 Correction Officer \$34,278. Councilor McKinney seconded the motion. Motion carried 7-0.

8:23:10: Councilor Schwartz moved to approve County General Microfilm line item 029.000.2001 for \$7,819. Councilor Beaver seconded the motion. Motion carried 7-0.

8:23:48: Councilor McKinney moved to transfer Health Department line item 1051 Mary Reaves for \$8,000 to line item 1302 Part Time Nurse for \$8,000. Councilor Levine seconded the motion. Motion carried 7-0.

8:24:11: Councilor Belden moved to approve Parks and Recreation line item 3713 Contractual Service for \$1,345. Councilor McKinney seconded the motion. Motion carried 7-0.

8:24:35: Councilor Belden moved to approve Highway Bond Sinking Fund line item 3840 Bond Payment for \$1,227. Councilor Hiatt seconded the motion. Motion carried 7-0.

8:24:45: Councilor Belden moved to approve an additional for Park Non-Reverting Fund line item for \$35,000. Councilor McKinney seconded the motion. Motion carried 7-0.

ANNOUNCEMENTS: 8:25:20

Councilor Levine announced that the Kernan/Shephard Report is alive and well going into 2010. Elected Officials should stay alert to this item.

Councilor Levine and Councilor Carter reported that they would like to meet with an individual that helps recover personal property assessment. Auditor Coverdale reported that this individual has contacted Debbie Folkerts, Hamilton County Assessor and upon

checking references with other counties Ms. Folkerts decided against pursuing a contract with this company. Auditor Coverdale stated that she would gather the information and share it with the Council and Board of Commissioners.

SHERIFF COMMENTS: 8:29:15

- Radio Tower Project is under budget.
- Position Vacancy-Jail Nurse Council Beaver moved to approve a vacancy in Jail for a Nurse at minimum salary. Councilor Belden seconded the motion. Motion carried 7-0.
- Position Vacancy-14 Part Time positions Council Belden moved to approve 14 Part Time vacancies in the Jail. Councilor McKinney seconded the motion. Motion carried 7-0.

ATTORNEY COMMENTS: 8:32:19

- David Day, Hamilton Southeastern School Corporation, contacted Jeannette Kassabaum regarding a school referendum to seek additional general fund revenues by seeking an increase in the general fund tax levy through a voter approval in a referendum election. Following is information received from Church, Church, Hittle and Antrim for the steps needed to request this increase.

TO: JEANNETTE KASSEBAUM
FROM: CHURCH, CHURCH, HITTLE & ANTRIM
DATE: JUNE 29, 2009
RE: SCHOOL REFERENDUM

Indiana law grants school districts the right to seek additional general fund revenues by seeking an increase in the general fund tax levy through voter approval in a referendum election. As Hamilton County schools are experiencing shortfalls in general fund revenue, it is possible that one or more may seek this type of relief. The law provides a role for the County Council in this process and this memorandum provides background information in the event this issue should arise.

- Indiana law, specifically IC 20-46-1, permits a school corporation to seek voter approval via referendum to impose a tax levy to raise additional general fund revenue.
- The first step in the referendum process requires the school board to adopt a resolution to place the referendum on the ballot.
- It is anticipated that the new budget bill will require all referendums to be held on the dates normally established for primary and general elections (the first Tuesday after the first Monday in May or November).
- After a school board passes a resolution, Indiana law (IC 20-46-1-8(b) requires that it certify this resolution to the county fiscal body (County Council.)
- According to IC 20-46-1-12, the County Council must then certify the question to be voted on at the referendum to the county election board. This certification process does not indicate that the County Council endorses or approves the referendum. Instead, the County Council’s action appears to be a ministerial act to allow the election to go forward. The form of the question is specified by statute (IC 20-46-1-10).
- If a school board were to pass a resolution in July, in order to meet the timeline imposed under IC 3-10-9-3 to place this question on the ballot on November 3, 2009, the County Council must act on the matter on or before noon on August 1, 2009.
- The school district requesting the referendum bears the cost of the election, if no general or primary election is being held in the school district at the time of the referendum.

The County Council has set aside July 29th for a special meeting at 6 p.m. to approve this resolution if necessary.

AUDITOR’S COMMENTS 8:38:47:

- Auditor Coverdale passed out 2010 Budget Books and CD’s. All detail is on the cd. There were five departments who will need a hearing.

- Tax bills have been mailed. The Auditor’s Office is having to send out over 4,000 corrected tax bills due to software issues.
- Due to new legislation effective July 1, 2009 any individual who files a homestead must give their social security number and drivers license number and that of their spouse. This is a new data base.

8:49:40 Councilor Belden moved to adjourn meeting. Meeting was duly adjourned.

Those present:

A Patterson, Parks Director
Ralph Watson, Community Corrections
Jack Hittle, Citizen Agitator
Sonia Leerkamp, County Prosecutor
BJ Casali, ISSD
Brian Cook, Hoosier Tradewinds, Inc.
Ed Moore, Sheriff Department

Matt Kestian, Prosecutor’s Intern
Barry McNulty, Health Department
Peggy Beaver, County Clerk
Steve Wood, Bldg and Grounds
Mike Howard, County Attorney
Mark Bowen, Sheriff Department
Christine Altman, County Commissioner

President

Auditor